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10/679,827	10/06/2003	Mark Perry	SUN03-08(030122)	3715

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EXAMINER	
JEAN GILLES, JUDE	
ART UNIT	**PAPER NUMBER**
2143	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)	
Office Action Summary	10/679,827	PERRY, MARK	
	Examiner	**Art Unit**	
	Jude J. Jean-Gilles	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2003*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-8,11-18,21 and 22* is/are rejected.
7)☒ Claim(s) *9,10,19 and 20* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *06 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to communication filed on 10/06/2003.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanchez et al (hereinafter Sanchez) U.S. Patent No. 5,832,298 in view of Rollins U.S. Patent No. 6,664,988 B1.

Regarding claim 1: Sanchez discloses the invention substantially as claimed.

Sanchez teaches in a computerized device, a method for automatically producing a configuration for components of a network comprising:

receiving a selection of at least one network component graphic representing at least one network component for use in a network (column 4, lines 1-20);

obtaining corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic (column 4, lines 1-20);

receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information (column 4, lines 1-20; column 6, lines 48-61);

correlating the hardware configuration information of the at least one network component and the software configuration information of the software component graphic with network parameter information to form a correlation result representing an interoperability configuration of the software and the at least one network component (column 8, lines 18-43); and

outputting the correlation result to support automatic configuration of the at least one network component and the software for operation on the at least one network component (column 4, lines 1-20; column 8, lines 18-43). However, Sanchez does not disclose the details of receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network.

In the same field of endeavor, Rollins discloses"... The source computer 1 then transmits the system information file 9 via a transmission medium 2 to a remote computer 3 (step 24). The remote computer 3 can then process the file and create a graphical display 10 of the system information (step 26). This graphical display 10 may be used to diagnose a problem with the source computer, survey components of the source computer 1, archive the source computer configuration, or for other purposes (step 28)... system information file 9 can then be pulled into the blank template 11 via computer program code to display remote computer 3's system information graphically.

A user activatible control such as an icon 12 that responds to being clicked upon with a pointing device can be used to display specifications associated with the actual installed components of a source computer. The graphical representation of the system information can include icons 12 depicting individual components or features displayed in a hierarchical layout. Each icon lists a component type 8 with each component type 8 then listed under the icon 12 (FIG. 5). Additional user activatible controls such as a push button 7 can be used to execute computer readable program code and thereby, perform a desired computer function such as print the system information..." [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Rollins' teachings of using one software component graphic representing software for installation and operation with the teachings of Sanchez, for the purpose of associating a network with the benefits of quick and efficient diagnosis of a customer's problem resulting in improved customer service and satisfaction... " as stated by Rollins in lines 8-11 of column 3. By this rationale, **claim 1** is rejected.

Regarding claim 2-22, the combination Sanchez-Rollins teaches:

2. The method of claim 1 wherein the step of correlating further comprises: detecting an operability characteristic of the at least one network component based upon the correlation result; and dynamically adjusting the hardware configuration information of the at least one network component when the operability characteristic

indicates inoperability of the software and the at least one network component (see Sanchez; column 8, lines 18-43; column 4, lines 1-20).

3. The method of claim 1 further comprising automatically creating deployment instructions, based on the correlation result, for installation of the software, represented by the selection of at least one software component graphic, onto the at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11].

4. The method of claim 3 wherein the step of automatically creating comprises generating a markup language document indicating the deployment instructions for installation of the software, represented by the software component graphic, onto the at least one network component t [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11].

5. The method of claim 4 further comprising executing the markup language document to install the software on the at least one network component t [see Rollins; column 3, lines 42-47, also see abstract; note that it is obvious for an ordinary skill in the art to assume that file 9 contains the document].

6. the method of claim 5 wherein the step of executing comprises retrieving the software from a storage location indicated by the markup language document [see Rollins; column 3, lines 42-47, also see abstract].

7. The method of claim 1 wherein the step of obtaining corresponding hardware configuration information comprises retrieving the hardware configuration information from the at least one network component corresponding to the selection of the at least

one network component graphic (see Sanchez; column 4, lines 1-20).

8. The method of claim 1 further comprising:

receiving a software identification request to identify software installed on at least one network component; and

retrieving a software identifier, in response to receiving the software identification request, the software identifier identifying installation of the software on at least one network component (see Rollins; column 6, lines 19-29).

11. A computerized device (see Sanchez; figs.1, and 2) comprising:

at least one communications interface (see Sanchez; items 23, 24, 27); a controller (13); and

an interconnection mechanism coupling the at least one communications interface and the controller (see Sanchez; 10);

wherein the controller is configured to:

receive a selection of at least one network component graphic representing at least one network component for use in a network (see Sanchez; fig. 1);

obtain corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic (see Sanchez; column 4, lines 1-20);

receive a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information (see

Sanchez; column 4, lines 1-20);

correlate the hardware configuration information of the at least one network component and the software configuration information of the software component graphic with network parameter information to form a correlation result representing an interoperability configuration of the software and that at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11]; and

output the correlation result to support automatic configuration of the at least one network component and the software for operation on the at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11];

Claims 12-18 are similar in scope to claims 2-8, and are rejected for the same reason as claims 2-8 above

21. A computer program product having a computer-readable medium including computer program logic encoded thereon that, when performed on a controller in a computerized device having a coupling to at least one communications interface (see Sanchez, figs.1, and 2) provides a method for performing the operations of:

receiving a selection of at least one network component graphic representing at least one network component for use in a network (see Sanchez; column 4, lines 1-20);

obtaining corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic(see Sanchez; column 4, lines 1-20);

receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration

information (see Sanchez; column 4, lines 1-20; column 6, lines 48-61);

correlating the hardware configuration information of the at least one network component and the software configuration information of the software component graphic with network parameter information to form a correlation result representing an interoperability configuration of the software and that at least one network component[see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11]; and

outputting the correlation result to support automatic configuration of the at least one network component and the software for operation on the at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11];

22. A computerized device comprising:

at least one communications interface; a controller; and

an interconnection mechanism coupling the at least one communications interface and the controller(see Sanchez; column 4, lines 1-20; column 6, lines 48-61);

wherein the computerized device is configured to produce a means for automatically producing a configuration for components of a network, such means including:

means for receiving a selection of at least one network component graphic representing at least one network component for use in a network (see Sanchez; column 4, lines 1-20; column 6, lines 48-61);

means for obtaining corresponding hardware configuration information associated with the at least one network component that corresponds to the selection of the at least one network component graphic (see Sanchez; column 4, lines 1-20; column 6, lines 48-61);

means for receiving a selection of at least one software component graphic representing software for installation and operation on the at least one network component in the network, the software component graphic having associated software configuration information (see Sanchez; column 4, lines 1-20; column 6, lines 48-61);

means for correlating the hardware configuration information of the at least one network component and the software configuration information of the software component graphic with network parameter information to form a correlation result representing an interoperability configuration of the software and that at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11]; and

means for outputting the correlation result to support automatic configuration of the at least one network component and the software for operation on the at least one network component [see Rollins; column 3, lines 42-47, column 5, lines 60-67, and column 6, lines 1-11];

Allowable Subject Matter

3. **Claims 9, 10, 19, and 20** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. **THIS ACTION IS MADE NON-FINAL.** The Examiner strongly anticipates a Final Rejection Office Action on the next response if amendments are not properly made to the claims to perhaps place them in condition for allowance.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

March 31, 2007

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